

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**ROGER ALLEN RICKMAN,**

**Plaintiff,**

**vs.**

**NANCY A. BERRYHILL, Acting  
Commissioner of Social Security  
Administration;**

**Defendant.**

**4:16CV3187**

**ORDER**

This matter is before the Court on the Findings and Recommendation of Magistrate Judge Cheryl Zwart, ECF No. 14, recommending that this case be dismissed for failure to state a claim upon which relief can be granted and for failure to exhaust administrative appeal rights. No objection was filed. Under 28 U.S.C. § 636(b)(1), the Court has conducted a de novo review of the record and adopts the Findings and Recommendation in their entirety.

**IT IS ORDERED:**

1. The Magistrate Judge's Findings and Recommendation, ECF No. 14, are adopted in their entirety; and
2. The above-captioned case is dismissed, with prejudice.

Dated this 4th day of January, 2018.

**BY THE COURT:**

s/Laurie Smith Camp  
Chief United States District Judge